

Message Text

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65

ACTION IO-13

INFO OCT-01 AF-08 ARA-06 EA-07 EUR-12 NEA-10 ISO-00 IOE-00

CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00

AID-05 CEA-01 COME-00 EB-07 FRB-03 INR-07 CIEP-01

SP-02 STR-04 TRSE-00 LAB-04 SIL-01 SAM-01 OMB-01

PM-04 H-02 L-03 NSC-05 PA-01 PRS-01 SS-15 /125 W

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O 221353Z OCT 76

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 3048

INFO ALL EC CAPITALS 135

USMISSION USUN NY

AMEMBASSY BELGRADE

AMEMBASSY CANBERRA

AMEMBASSY JAKARTA IMMEDIATE

AMEMBASSY OTTAWA

AMEMBASSY TOKYO

C O N F I D E N T I A L SECTION 1 OF 2 GENEVA 8303

PASS LABOR FOR SEGALL, AVERY, QUACKENBUSH AND LINSSENMAYER

JAKARTA FOR HOROWITZ

E.O. 11652: GDS

TAGS: ELAB, ILO

SUBJECT: ILO: TECHNICAL LEVEL CONSULTATIONS WITH EC NINE

REF: A. GENEVA 7858 B. STATE 251622 C. STATE 256095

1. SUMMARY: DURING INFORMAL DISCUSSION OCT 19 OF ILO
ISSUES (SEE AGENDA REF A), EC NINE REPS EXPRESSED DESIRE
TO COOPERATE WITH U.S. IN ORDER TO FACILITATE DECISION MAKING
IN THEIR CAPITALS, THEY REQUESTED MORE SPECIFIC U.S. PROPOSALS
ON (1) WAY IN WHICH U.S. INTENDS TO PURSUE AMENDMENT TO
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RESOLUTIONS PROCEDURE OF ILO, AND (2) U.S. PROPOSALS
FOR NEW CRITERIA FOR SELECTION OF CONFERENCE AGENDA ITEMS.

PRELIMINARY VIEWS WERE EXCHANGED ON ILO DIRECTOR GENERAL'S REPORT TO GOVERNING BODY ON 1974 CONFERENCE RESOLUTION ON ISRAEL (SEE PARA 6 BELOW) AND IT WAS SUGGESTED FURTHER DISCUSSION WOULD TAKE PLACE AFTER US DEMARCHE (REF C) WAS MADE IN ALL EC NINE CAPITALS. EC NINE REPS SAID THEY WERE NOT PREPARED TO DISCUSS COMPOSITION OF GOVERNING BODY AT THIS MEETING. THE EXPRESSED SATISFACTION WITH "TECHNICAL LEVEL DISCUSSION" AND SUGGESTED ANOTHER MEETING, POSSIBLE BEFORE NOVEMBER SESSION OF GOVERNING BODY. END SUMMARY.

2. US PROPOSAL TO AMEND ARTICLE 17 OF ILO CONFERENCE STANDING ORDERS CONCERNING INTRODUCTION OF RESOLUTIONS -- EC NINE REPS EXPRESSED AGREEMENT IN PRINCIPLE WITH US DESIRE TO AMEND ARTICLE 17 BUT WANTED TO KNOW WHY, WHEN AND HOW US WOULD MAKE ITS PROPOSALS. LABATT EXPLAINED US WISHED TO GET PROCEDURE CHANGED SOON AND QUICK ACTION WAS NOT LIKELY IN SLOW-MOVING WORKING PARTY ON STRUCTURE; FURTHERMORE, US PROPOSAL HAD BECOME AN ITEM IN BARGAINING PROCESS IN WORKING PARTY ON STRUCTURE AND THIS WAS NOT DESIRABLE. ALTHOUGH ILO CONFERENCE WOULD MAKE FINAL DECISION ON CHANGES IN ITS OWN STANDING ORDERS, PRELIMINARY WORK BY GOVERNING BODY COULD BE HELPFUL WHEN PROPOSAL WAS CONSIDERED BY ANNUAL CONFERENCE. EC NINE WANTED TO KNOW HOW US INTENDED TO BRING RESOLUTIONS QUESTION TO ATTENTION OF GOVERNING BODY; FOR INSTANCE, DID US INTEND TO PUT PROPOSAL ON NOVEMBER AGENDA OF GOVERNING BODY, OR WOULD US MOVE RESOLUTION, ETC. GROUP WAS CONFUSED AS TO WHETHER CONFERENCE APPROVAL WAS NECESSARY BEFORE GOVERNING BODY COULD CONSIDER PROBLEM AND HOW ISSUE MIGHT ARISE IN GOVERNMENT GROUP MEETING ON STRUCTURE AFTER NOVEMBER SESSION OF GOVERNING BODY. IT WAS AGREED TO CONTINUE DISCUSSION AFTER US HAD CONSULTED WITH ILO LEGAL ADVISER AND WITH WASHINGTON.

3. FYI: IN SUBSEQUENT CONVERSATION, ILO LEGAL ADVISER (MORGENSTERN) SAID THAT ONLY CONFERENCE COULD CHANGE ITS OWN STANDING ORDERS. HOWEVER, MATTER COULD BE TAKEN UP BY GOVERNING BODY WITHOUT REMOVING ISSUE FROM WORKING PARTY ON STRUCTURE. AT NOVEMBER SESSION OF GOVERNING BODY, US HAD OPTIONS OF FORMALLY PLACING ITEM ON AGENDA (FOURTEEN DAYS
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BEFORE PLENARY SESSION OPENED) OR OF ASKING GB OFFICERS "AS MATTER OF URGENCY" TO PLACE ITEM ON AGENDA. HOWEVER, MORGENSTERN BELIEVES BEST OPTION IS TO RAISE CONFERENCE RESOLUTION PROCEDURE IN CONNECTION WITH AN ITEM ALREADY ON GOVERNING BODY AGENDA AND TO REQUEST THAT IT BE CONSIDERED BY GB STANDING ORDERS COMMITTEE IN FEBRUARY; IF GOVERNING BODY AGREED TO THIS PROCEDURE, ILO SECRETARIAT WOULD DRAFT WORKING PAPER. MORGENSTERN POINTED OUT THAT THIS WOULD NOT INVOLVE "TRANSFER" OF MATTER FROM OR APPROVAL OF WORKING PARTY ON STRUCTURE BUT WOULD BE INDEPENDENT CONSIDERATION BY GOVERN-

ING BODY. FURTHERMORE, THIS TACTIC HAD BEEN SUCCESSFULLY USED
BY EMPLOYERS IN SEEKING AMENDMENT OF STANDING ORDERS OF REGIONAL
ILO CONFERENCES.) END FYI.

4. CONFERENCE COMMITTEE ON APPLICATION OF CONVENTIONS AND
CRITERION 7: ALFRED JAMES (UK DEPARTMENT OF EMPLOYMENT)
INTRODUCED TOPIC FOR ED NINE BY SAYING THAT WORDING OF CRITERION
7 WAS NOT SACROSANCT AND CITING CHANGES MADE BETWEEN 1967
AND 1972. DURING 1976 CONFERENCE, CHANGES HAD BEEN
DISCUSSED IN WORKERS GROUP BUT HAD NOT BEEN INTRODUCED INTO
FILL COMMITTEE AND THEREFORE COMMITTEE COULD NOT "TAKE NOTICE"
OF WORKER GROUP DISCUSSION. IN PRAISING USE OF "SPECIAL
PARAGRAPHS", JAMES NOTED TEN CASES AT LAST CONFERENCE AND
NEAR MISS ON ELEVENTH PARAGRAPH FOR CZECHOSLOVAKIA. HE THEN
DESCRIBED THE "DETERRENT EFFECT" OF FEAR OF MEMBER COUNTRIES
OF BEING PLACED ON SPECIAL LIST. JAMES AND OTHERS REFERRED
TO SPECIAL LIST AS "BLACKLIST". LABATT OUTLINED ROLE OF ILO
IN PERSUADING COUNTRIES, EVEN THE SOVIET UNION, TO MOVE TOWARD
BETTER IMPLEMENTATION OF RATIFIED CONVENTIONS. US APPROVED
OF "DETERRENT EFFECT" OF SPECIAL LIST AND HOPED COMMITTEE
WOULD CONCLUDE NEXT YEAR THAT CZECHS BELONGED ON SPECIAL LIST.
PURPOSE OF IMEC COUNTRIES SHOULD BE TO STRENGTHEN CRITERION
7 IN A WAY THAT WOULD ENCHANGE ITS DETERRENT EFFECT; THEREFORE,
DISCUSSIONS AMONG WORKERS TO WATER DOWN CRITERION 7 SHOULD BE
CAREFULLY CONSIDERED BY IMEC COUNTRIES. LABATT AGREED WITH
PRAISE BY FRG AND IRISH REPS OF OPEN-MENDED AND CAREFUL
CONSIDERATION BY CONFERENCE COMMITTEE OF COMMITTEE OF EXPERTS
REPORT AND THEIR HOPE THAT FUTURE SESSIONS OF CONFERENCE
COMMITTEE WOULD NOT COME TO FOREGONE CONCLUSIONS. IN FINAL
REMARK, JAMES SAID IF WORKERS DO PROPOSE CHANGES IN CRITERION 7
AT NEXT CONFERENCE, GOVERNMENT MEMBERS MUST INSIST ON WRITTEN
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NOTIFICATION IN ADVANCE SO THAT DECISIONS ARE NOT MADE "OFF
THE CUFF."

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MRN: 1976GENEVA008303 SEGMENT NUMBER: 000002 ERROR READING TEXT INDEX

FILE; TELEGRAM TEXT FOR THIS SEGMENT IS UNAVAILABLE

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